

Exhibit 1

UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF MICHIGAN

CHRISTOPHER FRANKE,
Individually and on behalf of others similarly situated

Plaintiff

vs.

FINANCIAL LEAD SERVICES, LLC,
et al,

Defendants

Case No. 12-1374
Hon. Robert J. Jonker

I, Frank Barkan, declare as follows:

1. I am an employee of McGladrey, LLP which was appointed to aid in giving notice to potential Class Members and I was principally responsible for overseeing the dissemination of notice to members of the Class and distributing the settlement fund.

2. Notices were mailed on January 30, 2015 to 8,004 individuals whose names and addresses appeared on the records of the Defendants and whose records show that the individual consumer reports were accessed by FLS in May 2010.

3. There were 1,136 Notices returned by the U.S. Postal Service as undeliverable with no forwarding address. Pursuant to the Settlement Agreement, all names and addresses were processed through a search firm called Accurant. Accurant provided new addresses for 826 records. These were promptly remailed.

4. On July 9, 2015, we were responsible for the distribution of the Settlement Fund to 7,657 Class Members whose Notice was not returned undeliverable and who had not timely requested exclusion.

5. As of September 28, 2015, the balance in the distribution bank account is \$60,025.21. A total of 2,026 checks remain outstanding. A total of 5,631 checks have been cashed. (see attached)

6. We respectfully request approval of additional fees and expenses in the amount of \$10,935.14 (invoice attached).

7. I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing is true and correct.



Frank Barkan

Franke v FLS Distribution Account Summary

Amount Wired In January 2015	\$415,000.00
Administration Fees	(\$46,585.00)
Attorney / Name Plaintiff Fees	(\$120,000.00)
Attorney Costs	(\$13,918.43)
Bank Fees	(\$2,050.14)
Distribution July 9, 2015	(\$234,457.34) (\$30.62 x 7,657 C.M.)
Outstanding Checks @ 9/27/15	<u>\$62,036.12</u> (2,026 checks)
Adjusted Bank Balance as of September 28, 2015	<u><u>\$60,025.21</u></u>

Check Void Date = 9/9/15 (60 days)

90 day Date = 10/7/15 hold funds in Cy pres trust

120 day Date = 11/6/15 disburse funds to Electronic Privacy Info Center

Breakdown of Claimant's Paid

Total Number of Claimants	8,004
Total Number of Undeliverable Claimants (did not allocate distribution \$)	-346
Total Number of Exclusions	<u>-1</u>
Total Number of Class Members allocated Distribution Funds	<u><u>7,657</u></u>
Total Number of cashed checks as of September 27, 2015	<u><u>5,631</u></u>



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October 1, 2015

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Lyngklip & Associates Consumer Law Center, PLC
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Re: Franke v. FLS Settlement

Supplemental invoice with respect to additional time and expenses incurred from inception through September 22, 2015.

Website Development	\$ 2,598.00
- Acquisition of <u>www.flsettlemnt.com</u>	
- Settlement Website Development	

Undeliverable Procedures:	\$ 1,537.44
- Resent Notices to those Class Members whose Notices were returned as undeliverable with a forwarding address	
- Processing of 1,138 Undeliverable Notices through September 20, 2015	

Telephones	\$ 6,403.50
- Pursuant to the original cost estimate, we were not responsible to handle telephone calls. However, our phone number appeared on the check cover letter and we received approximately 400 phone calls. Many of the calls were from class members who had no understanding of the matter and did not know why they were receiving a check.	

Out of Pocket Expenses:

Website Monthly Cost	\$ 396.20
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Total Out of Pocket Expenses:	<u>\$ 396.20</u>
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Total Amount Due:	<u>\$ 10,935.14</u>
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